

AF 6Au 1636

PATENT

Attorney Docket No. FORS-03213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Brow *et al.*  
Serial No.: 08/520,946  
Filed: 08/30/95  
Entitled:

Rapid Detection and Identification of Pathogens

Group No.: 1636  
Examiner: W. Sandals

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCE

Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: December 21, 1998

By:

Marlene Garitano

Sir/Madam:

Applicants hereby appeal to the Board of Appeals and Interferences from the decision of the Primary Examiner's Action dated August 31, 1998, in which Claims 1, 3-29, and 31-54 were finally rejected. This application is on behalf of a Small Entity which a Verified Statement was filed on January 22, 1996 in the parent Application Serial No. 08/520,946. This status is still proper.

Enclosed is payment in the amount of \$155.00 pursuant to 37 CFR § 1.17(e) to cover the fee for filing the Notice of Appeal. The undersigned attorney of record hereby petitions for a one month extension of time to cover the filing fee of \$55.00 from November 30, 1998 to December 31, 1998 in pursuant to 37 C.F.R. § 1.136. The Commissioner is authorized to charge any additional fee or credit any overpayment to our Deposit Account No. 08 -1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: December 21, 1998

Kamrin T. MacKnight  
Registration No. 38,230

01/04/1999 ANOHANME 00000029 08520946

01 FC:219 150.00 OP  
02 FC:215 55.00 OP

MEDLEN & CARROLL, LLP  
220 Montgomery Street, Suite 2200  
San Francisco, California 94104  
415/705-8410

Repln. Ref: 01/04/1999 ANOHANME 0009421500  
DAI:081290 Name/Number:08520946 \$5.00 CR  
FC: 704